

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

WILLIE HANDY,

PLAINTIFF

V.

NO. 4:07CV201-P-D

CHRISTOPHER EPPS, et al.,

DEFENDANTS

ORDER GRANTING MOTION TO AMEND JUDGMENT

This cause is before the court on Plaintiff's Motion for Reconsideration. Since the motion was served within ten days from entry of final judgment, it will be construed under Federal Rule 59(e) motion to alter or amend judgment.

Plaintiff filed his 42 U.S.C. § 1983 complaint and motion to proceed *in forma pauperis* ("IFP") on December 5, 2007. As is routine practice, Plaintiff was mailed an order along with certain forms to be completed by a specific date. That same order warned Plaintiff that failure to comply could result in dismissal of his civil action. Despite the order, Plaintiff did not submit the necessary account information along with his motion for IFP. Thus, the claim was dismissed without prejudice and the matter was closed for failure to prosecute on February 6, 2008.

Plaintiff promptly responded with this motion and has now obviously renewed his interest in continuing this civil action. Therefore, Plaintiff's motion to amend judgement (docket entry 11) is GRANTED. This case should be REOPENED and restored to the court's active docket.

SO ORDERED, this the 13th day of February, 2008.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE